

Council Regulation(EC) No 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products

B.

Freshness categories

Article 4

1 The freshness category of each lot shall be determined on the basis of the freshness of the product and a number of additional requirements.

Freshness shall be defined by reference to the special ratings for different types of products set out in Annex I.

2 On the basis of the ratings referred to in paragraph 1, products as specified in Article 3 shall be classified by lot in one of the following freshness categories:

- a Extra, A or B in the case of fish, selachii, cephalopods and Norway lobsters;
- b Extra or A in the case of shrimps.

However, live Norway lobsters shall be classified in category E.

[^{F13} The crab, common scallop and common whelk referred to in Article 3 shall not be classified according to specific standards of freshness.]

However, only whole crabs, excluding berried females or soft-shelled crabs, may be marketed.

Textual Amendments

- F1** Substituted by [Council Regulation \(EC\) No 2578/2000 of 17 November 2000 amending Regulation \(EC\) No 2406/96 laying down common marketing standards for certain fishery products.](#)

Article 5

1 Each lot must contain products of the same degree of freshness. A small lot need not, however, be of uniform freshness; if it is not, the lot shall be placed in the lowest freshness category represented therein.

2 The freshness category must be clearly and indelibly marked, in characters which are at least 5 cm high, on labels affixed to the lot.

Article 6

1 Fish, selachii, cephalopods and Norway lobster as specified in Article 3 placed by lot in category B shall be ineligible, insofar as that lot is concerned, for the financial assistance granted in respect of withdrawal as provided for in Articles 12, 12 (a), 14 and 15 of the basic Regulation.

2 Fish, selachii, cephalopods and Norway lobster in freshness category Extra must be free of pressure marks, injuries, blemishes and bad discolouration.

3 Fish, selachii, cephalopods and Norway lobster in freshness category A must be free of blemishes and bad discolouration. A very small proportion with slight pressure marks and superficial injuries shall be tolerated.

Changes to legislation: There are outstanding changes not yet made to Council Regulation(EC) No 2406/96. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

4 For fish, selachii, cephalopods and Norway lobster in freshness category B, a small proportion with more serious pressure marks and superficial injuries shall be tolerated. Fish must be free of blemishes and bad discolouration.

5 When products are being classified by freshness category, without prejudice to the health rules applicable, the presence of visible parasites and their possible effect on the quality of the product shall also be taken into consideration, allowance being made for the type of product and its presentation.

6 Detailed rules for the application of this Article shall be adopted, where necessary, in accordance with the procedure laid down in Article 32 of the basic Regulation.

Changes to legislation:

There are outstanding changes not yet made to Council Regulation(EC) No 2406/96. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulation applied (with modifications) by [S.I. 2023/959 reg. 4\(a\)Sch. 1](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Art. 1(2)(a) words substituted by [S.I. 2019/739 reg. 20\(2\)\(b\)](#)
- Art. 2(3)-(6) substituted for Art. 2(3) by [S.I. 2019/753 reg. 34\(2\)](#)
- Art. 8(4)-(7) substituted for Art. 8(4) by [S.I. 2019/753 reg. 34\(3\)](#)